

## **DRAFT MITIGATED NEGATIVE DECLARATION**

August 24, 2006

Project Name: Grading Plan for the Palma de la Reina Office/ Residential Project

Project Numbers: L14372, Log No. 03-13-001

**This Document is Considered Draft Until it is Adopted by the Appropriate  
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
  - b. Environmental Analysis Form and attached extended studies for Aesthetics, Noise, Hydrology, Stormwater Management Plan and Transportation/ Traffic.
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

### **HYDROLOGY AND WATER QUALITY**

- A. The following condition shall apply during the term of the Grading Permit:

Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and control, erosion control, and sediment control on the project site. Projects that involve one (1) acre or greater require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

### **NOISE**

Prior to issuance of the grading permit, dedicate a Noise Protection Easement only over the area proposed to be occupied by Apartment Buildings 1 and 2 that has the following requirements:

1. Prior to the issuance of any building permit for any residential use within the noise protection easement, the applicant shall:
  - a. Incorporate, to the satisfaction of the Director of Planning and Land Use, all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.

### **TRANSPORTATION/TRAFFIC**

- A. Prior to issuance of occupancy permits:

1. Improve or agree to improve and provide security for the **intersection of El Camino Real West and Via De La Valle** by the following modifications to the existing traffic signal to the satisfaction of the Director of Public Works:
  - a. Install split phasing for the northbound and southbound approaches;
  - b. Install an eastbound right-turn overlap phase;
  - c. Install a northbound right-turn overlap phase; or

2. Pay a **fair-share contribution to the City of San Diego** for the El Camino Real and Via de la Valle widening projects (T-29 and T-32). The fair-share payment shall be \$209,000, which is equivalent to the project's traffic contribution of 5.5 percent. The fair-share payment shall be reduced by the cost of installing the signal phasing improvements described in Item 1 above.
3. Improve or agree to improve and provide security for a **roundabout at the Paseo Delicias/Via de la Valle intersection**, or contribute a "fair share" towards the cost for an approved project to construct the roundabout to the satisfaction of the Director of Public Works. The fair share amount shall be based on the project's ADT contribution to the roundabout. The developer may desire to go forward with the improvement prior to other "fair share" entities and would need to provide security for all improvement.
4. Improve or agree to improve and provide security for a **roundabout at the El Montevideo / Paseo Delicias intersection**, or contribute a "fair share" towards the cost for an approved project to construct the roundabout to the satisfaction of the Director of Public Works. The fair share amount shall be based on the project's ADT contribution to the roundabout. The developer may desire to go forward with the improvement prior to other "fair share" entities and would need to provide security for all improvements.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

None

**ADOPTION STATEMENT:** This Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

Director of Public Works

on \_\_\_\_\_

DEVON MUTO, Planning Manager  
Regulatory Planning Division

DM:WS:jcr

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